IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.28470 of 1997

Between:

V.L.E.Kalyan, S/o.V.Harendra Babu.
R/o. 57-9-17, Main Road New Postal Colony,
Patameta-520 010, Vijayawada, Krishna.

..... PETITIONER

AND

1 The State of A.P., Rep. Secretary Dept. of Education (E.C.2)
Secretariat Building, Hyderabad.
2 Sree Vidyanikethan Engineering College, Sree Sainath Nagar,
A. Rangampet, Near Tirupathi,
Chandragiri Mandal, Chittoor.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction or appropriate writ, declaring, a) the clause 2(ii) of G.O.Ms.No.256 dated 17/01/1993 issued by the 1st respondent herein discriminatory and violative of Art.14 of the Constitution, besides being contrary to the orders of the Hon'ble Supreme Court in T.M.A.Pai Foundation case- 1993 (4) SCC 276 and ultra vires the powers of the 1st respondent. b) consequently issue a Writ of Mandamus directing the respondents to admit the petitioner into the 1st year Engineering Course for the academic year 1997-98 in the 2nd respondent's College.

Counsel for the Petitioner: MR.K.ASHOK REDDY

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following:

ORDER:

By this writ petition, the petitioner seeks to declare Clause 2(ii) of G.O.Ms.No.256, dated 17.11.1993, in so far as restricting the admission of students into Engineering Course, who do not have the first class in Intermediate and in the concerned group, as illegal and arbitrary and to direct the respondents to admit the petitioner into I-Year Engineering Course for the academic year 1997-98 in the 2nd respondent's College.

When the matter is taken up today for hearing, none appears for the petitioner as well as the respondents. Since the relief sought by the petitioner in this writ petition is for admission into I-Year Engineering Course for the academic year 1997-98 only, by lapse of time, the prayer in the writ petition has become infructuous.

Hence, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 29.03.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Dept. of Education (E.C.2)
State of A.P., Secretariat Building, Hyderabad.
2 Sree Vidyanikethan Engineering College, Sree Sainath Nagar,
A. Rangampet, Near Tirupathi,
Chandragiri Mandal, Chittoor.

3 Two CCs to GP for Higher Education, High Court Buildings, Hyderabad

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